

[Counsel Listed on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 3:23-md-03084-CRB

Letter Regarding the Kalanick Deposition

Judge: Hon. Lisa J. Cisneros
Courtroom: G – 15th Floor

Pursuant to the Court's May 22, 2025 Order (ECF No. 3058), the parties submit this statement, after consultation with counsel for the witness, Travis Kalanick, stating with particularity why the deposition of Mr. Kalanick cannot occur on June 16, 2025 or June 17, 2025. The parties are also providing an update on document production issues previously discussed with the Court relating to Mr. Kalanick's deposition.

Scheduling of Mr. Kalanick's Deposition.

Through further consultation with Mr. Kalanick's counsel (who has been provided a copy of this submission prior to filing for confirmation of the facts stated herein), the parties have identified several reasons why the deposition of Mr. Kalanick cannot occur on June 16, 2025 or June 17, 2025 and should occur on the provisionally-scheduled date of July 3, 2025.

First, the witness is unavailable to sit for a deposition on June 16. On that date, Mr. Kalanick is scheduled to attend a meeting with the leadership of a major company. Given the meeting is scheduled to occur in another state, Mr. Kalanick has associated travel scheduled to attend the meeting. Per Mr. Kalanick's counsel, this June 16 commitment cannot be rescheduled.

Second, Mr. Kalanick is unavailable to sit for a deposition on June 17 as he is scheduled to attend a company board meeting on that date. Again, per Mr. Kalanick's counsel, Mr. Kalanick's commitment on June 17 cannot be rescheduled.

Third, Mr. Kalanick's counsel (Walter Brown of Paul, Weiss) is unavailable for a deposition on either June 16 or 17 due to prior commitments. On those dates, he will be traveling to the east coast and attending testimony before the Securities and Exchange Commission in Washington, DC, in connection with another matter.

As previously stated, the parties and the witness are ready to proceed with Mr. Kalanick's deposition on July 3, 2025.

Document Production Issues Relating to Mr. Kalanick's Deposition.

Uber has represented that it will produce (i) by today, May 28, Board of Directors (BOD) meeting materials (which will include documents with fewer redactions than the May 16 heavily redacted prior production (10 documents totaling over 200 pages) and additional materials from 2018-2024; and (ii) by June 4, at the latest, any remaining 2018-2024 BOD materials and pre-2018 BOD materials. For the same reasons Plaintiffs already explained to the Court, it is imperative that Plaintiffs have sufficient opportunity to review these productions and address any concerns about the scope of the redactions well in advance of Mr. Kalanick's (and Mr. Khosrowshahi's) depositions.

The parties have agreed to meet and confer by June 9 to address any redactions at issue. The goal is for the parties to productively meet and confer to address and resolve the scope of the redactions without Court intervention. To the extent, however, the parties reach an impasse, they will seek Court intervention, if necessary, by June 12. To the extent that there are any issues with respect to production of responsive documents, if any, from the imaged data from Mr. Kalanick's phone that has been located by Uber (which Uber has represented it will produce by June 6), the parties agree to raise such issues by June 12 also.

This will allow the Court and the parties sufficient time to address redaction and production issues, if necessary, and permit timely production and review of BOD materials and other documents sufficiently in advance of Mr. Khosrowshahi's and Mr. Kalanick's deposition. Therefore, Plaintiffs request the Court require Uber to complete the above productions by May 28 and June 4, respectively and responsive discovery from Mr. Kalanick's phone by June 6.

Respectfully submitted,

DATED: May 28, 2025

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ATTESTATION

Pursuant to Civil Local Rule 5-1(h)(3), I hereby attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's consent and have authorized the filing.

Dated: May 28, 2025

By: /s/ Laura Vartain Horn

CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record.

By: /s/ Laura Vartain Horn